

## **Appendix Exhibit 26**

D. Michael Lynn  
State Bar I.D. No. 12736500  
John Y. Bonds, III  
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*Attorneys for James Dondero*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**IN RE:**

**HIGHLAND CAPITAL MANAGEMENT,  
L.P.,**

**Debtor.**

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**Case No. 19-34054**

**Chapter 11**

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**JAMES DONDERO'S LIMITED RESPONSE TO ACIS CAPITAL MANAGEMENT,  
L.P. AND ACIS CAPITAL MANAGEMENT GP, LLC'S MOTION FOR RELIEF FROM  
THE AUTOMATIC STAY TO ALLOW PURSUIT OF MOTION FOR ORDER TO  
SHOW CAUSE FOR VIOLATIONS OF THE ACIS PLAN INJUNCTION**

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COMES NOW, James Dondero ("Dondero") and files this, his Limited Response to Acis Capital Management, L.P. and Acis Capital Management GP, LLC's (collectively, the "Movants") Motion for Relief from the Automatic Stay to Allow Pursuit of Motion for Order to Show Cause for [claimed] Violations of the Acis Plan Injunction [Docket No. 593] ("Motion"), and Dondero would respectfully show as follows:

1. Dondero denies each and every allegation or insinuation in paragraphs 1 through 21 of the Motion that he has engaged in or committed any wrongdoing, bad act, or improper act. Dondero also denies each and every allegation or insinuation in paragraphs 1 through 21 of the



Motion that he has acted, or caused actions or conduct in violation of the Court's orders in the Acis Capital Management, L.P. *et al* bankruptcy cases.

2. Attached as Exhibit 1 to the Motion is an alleged draft Show Cause Motion, which the Movants incorporate in to the Motion. Dondero denies each and every allegation or insinuation in the draft Show Cause Motion that he has engaged in or committed any wrongdoing, bad act, or improper action or conduct. Dondero also denies each and every allegation or insinuation in the draft Show Cause Motion that he has acted, or caused, actions or conduct in violation of the Court's orders in the Acis Capital Management, L.P. *et al* bankruptcy cases.

3. Dondero states that the automatic stay in the above captioned chapter 11 case is not applicable to Dondero in his individual capacity, but to the extent the automatic stay is applicable, Dondero does not oppose relief from stay being granted.

4. Movants' claims and allegations in the Show Cause Motion are without merit. However, the merits of those claims and allegations, including any and all preliminary findings necessary to reach the merits of a show cause or contempt claim, should not be discussed, litigated, debated, ruled upon, or determined by this Court during or through a lift stay proceeding. Such matters should be heard, if at all, via a separate proceeding after all targeted parties are afforded sufficient due process.

WHEREFORE, PREMISES CONSIDERED James Dondero respectfully prays that the merits of any claims or allegations asserted in the Motion or Show Cause Motion regarding any alleged wrongdoing, bad act, or improper action or conduct of Dondero not be discussed, litigated, debated, ruled upon, or determined by this Court during or through a lift stay proceeding, including any and all preliminary findings necessary to reach the merits of a show cause or contempt claim; and for any further relief that James Dondero is entitled.

Dated: May 1, 2020

Respectfully submitted,

/s/ D. Michael Lynn

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Bryan C. Assink

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on May 1, 2020, a true and correct copy of the foregoing document was served via the Court's CM/ECF system on counsel for Movants and on all other parties requesting such service in this case.

/s/ Bryan C. Assink

Bryan C. Assink